IN THE HIGH COURT OF BOMBAY AT GOA
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CRIMINAL WRIT PETITION NO. 18 OF 2003

Raju Mukherjee,
Central Jail Aguada,
Sinquerim, Goa. ... Petitioner

Versus

State of Goa ... Respondent.

Shri S. G. Bhobe, advocate appointed under Legal Aid Scheme.

Shri A.N.S. Nadkarni, Advocate General with Shri H. D. Naik, Addl. Govt. Advocate for the respondent, State.

CORAM : F. I. REBELLO &
P. V. HARDAS, JJ.

DATE : 7th July, 2003.

ORAL JUDGMENT (Per Rebello, J.)

Rule. Respondent waives service.

An affidavit has been filed on behalf of the respondent/State by Melvyn A. Vaz, Additional Inspector General of Prisons. In the affidavit it is set out that the application for transfer by the petitioner has been forwarded by the State of Goa to the corresponding authorities in the State of West Bengal. However, they have not received the consent so far from the State of West Bengal. It is also pointed out that subsequent efforts have been made and that if the State of West Bengal concurs to the transfer, the State of Goa has no objection and will so transfer the petitioner. The statement made on behalf of the State as given by the learned Advocate General is accepted. In the event the State of West Bengal concurs to

the transfer, the prisoner to be transferred to a prison in the State of West Bengal. The Registry to send a copy of this order to the petitioner.

In the event the State of West Bengal refuses to give consent for transfer, the prisoner, may be informed of the said decision of the State of West Bengal.

Rule made partly absolute accordingly. Petition stands disposed of.

F. I. REBELLO, J.

P. V. HARDAS, J.

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